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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.
09/224,696	01/04/99	CROTTY	C BU9.97.226

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EXAMINER

HARRISON, C

ART UNIT	PAPER NUMBER
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2672

DATE MAILED: 06/05/01

Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner of Patents and Trademarks

# Office Action Summary

Application No.

09/224,696

Applicant(s)

Crotty et al.

Examiner

Chante' Harrison

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136 (a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on Apr 23, 2001.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11; 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-16 is/are pending in the application.
- 4a) Of the above, claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-16 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claims \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are objected to by the Examiner.
- 11) ☒ The proposed drawing correction filed on Apr 23, 2001 is: a) ☒ approved b) ☐ disapproved.
- 12) ☐ The oath or declaration is objected to by the Examiner.

## Priority under 35 U.S.C. § 119

- 13) ☐ Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).
- a) ☐ All b) ☐ Some\* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \*See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).

## Attachment(s)

- 15) ☒ Notice of References Cited (PTO-892) 18) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_\_
- 16) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 19) ☐ Notice of Informal Patent Application (PTO-152)
- 17) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s). \_\_\_\_\_ 20) ☐ Other: \_\_\_\_\_

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### **DETAILED ACTION**

1. This action is responsive to communications: Amendment A, filed on 4/23/01.

***This action is made FINAL.***

2. Claims 1-16 are pending in the case. Claims 1-3, 5-7, 8-11 and 13-15 are independent claims. Claims 1, 2, 3, 7, 11 and 15 have been amended.

### ***Drawings***

1. The proposed drawing corrections and/or the proposed substitute sheets of drawings, filed on 6/2/00 have been approved by Examiner. Thus, the objection to the drawings for including and/or not including reference signs mentioned in the description is withdrawn.

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***Claim Rejections - 35 USC § 102***

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless --

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371© of this title before the invention thereof by the applicant for patent.

2. Claims 1-3, 5-7, 9-11 and 13-15 are rejected under 35 U.S.C. 102(e) as being anticipated by Schwuttke et al., U.S. Patent 6,222,547, 4/2001, 345/440.

As per independent claim 1, Schwuttke discloses generating a grid based on a plurality of data values (col. 6-7, ll. 8 et seq.), associating each data value with a geometric shape according to a predetermined set of rules (col. 6, ll. 29 et seq.; col. 7, ll. 10 et seq.), placing the shapes on the grid (col. 7, ll. 20 et seq.) and displaying visual and geometric information placed on the grid in graphical form (FIGS. 4-7).

As per independent claim 2, Schwuttke discloses identifying a plurality of numerical attributes associated with each data value (FIG. 2; col. 6, ll. 8 et seq.) and associating each numerical attribute with a visual attribute (col. 6, ll. 29 et seq.). The rejection as applied to claim 1 is included herein.

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As per independent claim 3, Schwuttke discloses extracting a plurality of data values associated with a matrix (FIG. 7; col. 10, ll. 35 et seq.) from the geometric representation (col. 6-7, ll. 29-35; col. 8, ll. 52 et seq.). The rejection as applied to claim 1 is included herein.

As per independent claims 5 and 9, Schwuttke discloses a computer usable medium having code for implementing the method of claim 1 (col. 5, ll. 37 et seq.). Thus the rejection as applied to claim 1 is included herein.

As per independent claims 6 and 10, Schwuttke discloses a computer usable medium having code for implementing the method of claim 2 (col. 5, ll. 37 et seq.). Thus the rejection as applied to claim 2 is included herein.

As per independent claims 7 and 11, Schwuttke discloses a computer usable medium having code for implementing the method of claim 3 (col. 5, ll. 37 et seq.). Thus the rejection as applied to claim 3 is included herein.

As per independent claim 13, Schwuttke discloses a storage device having instructions for implementing the method of claim 1 (col. 5, ll. 37 et seq.). Thus the rejection as applied to claim 1 is included herein.

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As per independent claims 14, Schwuttke discloses a storage device having instructions for implementing the method of claim 2 (col. 5, ll. 37 et seq.). Thus the rejection as applied to claim 2 is included herein.

As per independent claims 15, Schwuttke discloses a storage device having instructions for implementing the method of claim 3 (col. 5, ll. 37 et seq.). Thus the rejection as applied to claim 3 is included herein.

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***Claim Rejections - 35 USC § 103***

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 4, 8, 12 and 16 are rejected under 35 U.S.C. 103(a) as being unpatentable over Schwuttke et al., U.S. Patent 6,222,547, 4/2001, 345/440.

As per dependent claims 4, 8, 12 and 16, Schwuttke fails to disclose a conductance matrix. However it would have been obvious to one skilled in the art to use the teachings of Schwuttke because he graphically displays electrical data in a matrix (col 7, ll. 23 et seq.; FIG.S. 2 & 4; col. 6, ll. 8 et seq.).

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***Response to Arguments***

1. Applicant's arguments with respect to claims 1-16 have been considered but are moot in view of the new ground(s) of rejection.
2. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.



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*Conclusion*

**Any response to this action should be mailed to:**

Commissioner of Patents and Trademarks  
Washington, D.C. 20231

**or faxed to:**

(703) 305-9051, (for formal communications intended for entry)

**OR:**

(703) 308-6606 (for informal or draft communications, please label  
"PROPOSED" or "DRAFT")

Hand-delivered responses should be brought to Crystal Park II, 2021 Crystal  
Drive, Arlington, VA., Sixth Floor (Receptionist).

Any inquiry concerning this communication or earlier communications from the examiner  
should be directed to Chante' Harrison whose telephone number is (703) 305-3937. She can  
normally be reached on Monday-Friday from 8:00am - 5:00pm.

If attempts to reach the examiner are unsuccessful, the examiner's supervisor Michael  
Razavi, can be reached on (703) 305-4713.

Any inquiry of a general nature or relating to the status of this application should be  
directed to the Group receptionist whose telephone number is (703) 305-4700.

Chante' Harrison

May 29, 2001



**MATTHEW LUU  
PRIMARY EXAMINER**